

THE OFFICE ACTION

In the Office Action mailed January 11, 2006, the Examiner acknowledged the addition of claims 15-18 and the withdrawal of claims 5-14, with claims 1-18 pending. The Examiner further withdrew all previously set forth rejections based on Applicant's argument that the cited prior art does not teach creating a knot at the end of the binding strings.

The Examiner acknowledged Applicant's election with traverse of claims 1-4, but has made the restriction requirement final.

Claims 1 and 3-4 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,282,692 issued to McLeod.

Claims 2 and 15-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McLeod in view of U.S. Patent No. 5,823,374 issued to Wu.

REMARKS

Claims 1 and 3-4 not Anticipated by McLeod

With reference to the rejection of claims 1 and 3-4, in the Office Action mailed January 11, 2006 the Examiner equates Applicant's sticks to the bars of McLeod, and the ropes as shown in Figure 1 of McLeod to Applicant's binding strings. As noted by the Examiner "McLeod teaches a plurality of rigid bars, made of wood, plastic or other material, joined together to form an articulated assembly. A rope is threaded through bores formed in the bars" (underlining added). Applicant respectfully points out to the Examiner that the bores formed in the bars form a significant feature of the embodiments taught by McLeod. For example, of the independent claims 1, 19, 20, and 28-30, each of claims 1, 19, 28, 29, and 30 include rigid bars having at least one bore. However, the remaining claim 20 does not include a rope and apparently recites the embodiment shown in Figures 13-16. Further, claims 28 and 29 which apparently recite embodiments shown in Figures 25 and 24 respectively, do not include a rope. The remaining independent claims 1, 19, and 30 which include a rope or similar securing means all include bores for the rope or securing means to pass through or into.

Independent claim 1 of the present application recites a removable covering

which advantageously does not require bores in the sticks for the string to pass through. Eliminating the necessity of bores in the sticks of the present application greatly simplifies and economizes the manufacturing process, particularly when the sticks are comprised of wood or bamboo which would require drilling to form the bores, a time consuming operation which also has the negative effect of weakening the sticks, making them more prone to breakage. Even when the sticks are formed of plastic, the molding process becomes more complicated, and the plastic sticks would suffer the same weakening effects as the wooden and bamboo sticks.

Independent claim 1 of the present application, as amended, recites a limitation for "a plurality of binding strings linking the adjacent sticks together, the binding strings arranged in pairs with each string of each pair passing alternately above and below adjacent sticks but opposite the remaining string of the pair." The claimed arrangement of strings eliminates the need for the above-described bores, Thereby simplifying the manufacturing process while, at the same time, eliminating the weakening effect of the bores.

For the above-stated reasons, Applicant respectfully submits that claim 1 of the present application, as amended, is not anticipated by the cited reference and, therefore, in condition for allowance, as are claims 2-4 and 15-18 depending therefrom.

Claims 2 and 15-18 Patentably Distinct over McLeod in View of Wu

Although Wu teaches joining panels, the panels of Wu are joined to form a box, with each panel requiring reinforcing ribs. Further, as argued above, independent claim 1 of the present application, as amended, and from which claims 2 and 15-18 depend, is not anticipated by McLeod. Therefore, Applicant respectfully submits that neither McLeod nor McLeod in combination with Wu teach the claimed features of the present application, and claims 2, and 15-18 are patentably distinct over McLeod in view of Wu.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-4 and 15-18) are now in condition for allowance. Should the Examiner need more information or wish to discuss the present application, Applicant would appreciate the opportunity to assist in moving the case forward to a successful conclusion. In this regard, Thomas Young may be contacted at 216-861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

April 7, 2006

Date

/Thomas E. Young/

Thomas E. Young
Reg. No. 28,924
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8, I certify that this Amendment is being deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

	Signature
Date: April 7, 2006	Printed Name: Kathleen A. Nimrichter

N:\MAEE\200396\STY0000348V001.doc